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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,939	04/19/2005	Franciscus Lucas Antonius Johannes Kamperman	NL 021063	4488

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EXAMINER	
SHEPELEV, KONSTANTIN	
ART UNIT	PAPER NUMBER
2131	

NOTIFICATION DATE	DELIVERY MODE
07/09/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Office Action Summary	Application No.	Applicant(s)	
	10/531,939	KAMPERMAN ET AL.	
	Examiner	Art Unit	
	KONSTANTIN SHEPELEV	4133	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 April 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *4/19/2005, 3/21/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This office action is in response to application filed on April 19, 2005 in which claims 1-30 are presented for examination.

Status of Claims

Claims 1-30 are pending; of which claims 1, 8, 22, and 23 are in independent form. Claims 7 and 21 are objected under 37 CFR 1.75(c). Claims 1, 5, 8, 22, and 23 are rejected under 102(b). Claims 2-4, 6, 7, 9-21, and 24-30 are rejected under 103(a).

Claim Objections

1. Claim 7 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 6. See MPEP § 608.01(n).

2. Claim 21 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 13. See MPEP § 608.01(n).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 5, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Jonsson (WO 01/76294 A1).

With respect to independent claim 1, Jonsson discloses the limitation of "authorizing an operation requested by a first user on a content item in accordance with a user right identifying a second user and authorizing the second user to perform the requested operation on the content item, in which the operation is authorized upon receipt of information linking a user right of the first user and the user right of the second user" (page 2, lines 30-43) as a first user in a first client structure is provided with the ability to give a second user assigned to a second client structure authority to access said first client structure. It is further noted that both users are registered with the access provider (page 4, lines 14-18) and users in client structures are provided access to services where service is defined as any type of information or object which may be accessible or subject to manipulation (page 3, lines 17-19).

With claim 5, Jonsson discloses the limitation of "the operation comprises at least one of: a rendering of the content item, a recording of the content item, a transfer of the content item and a creation of a copy of the content item" (page 7, lines 11-14) as a superuser in this client structure will assign the new employee thereto, with access to said piece of information. The level of authority will e.g. include "reading, but not revising."

With respect to independent claim 8, it is rejected in view of the same reasons as stated in the rejection of claim 1.

5. Claims 22 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Kurokawa (US Patent 6,237,099 B1).

With respect to independent claim 22, Kurokawa discloses the limitation of "authorizing an operation requested by a first user on a content item in accordance with a content right containing necessary information for performing the requested operation on the content item and a user right identifying the first user and authorizing the first user to employ the content right" (Abstract) as to open an electronic document, the user is authorized in the authorization system specified by the user and the access right assigned to the authorized user is recognized from the access right list.

With respect to independent claim 23, it is rejected in view of the same reasons as stated in the rejection of independent claim 22.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 2-4, 6, and 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jonsson (WO 01/76294 A1) in view of Saw et al. (US Patent 7,020,781 B1).

With respect to claim 2, Jonsson discloses the limitation of "the information comprises one or more domain certificates identifying the first and second users as members of the same authorized domain" (page 2, lines 24-31) as a client structure, associated with a service provider, includes a number of associated services made available by the access provider and at least one assigned user. Further more, Jonsson (page 8, lines 20-25) states that when a user in a client structure wishes to use or order a certain service, he sends a signal from his home page to the access provider server that determines the specific service provider. Examiner interprets the described client structure to be equivalent to the domain comprising of users connected by predetermined relationships. Therefore, when the access provider determines if a user and a service provider belong to the same client structure, it is equivalent to determining if a user and a service provider belong to the same domain.

It is noted, however, that Jonsson does not specifically disclose that a signal sent to acquire access to the provided services comprises the domain certificate. On the other hand, the use of digital certificates to identify the parties and establish communication channels is commonly known in the art. For example, Saw discloses (column 4, lines 42-45) that to print the digital content the print center requests a print certificate from the certification authority by sending a print certificate request to the certification authority, where (column 3, lines 31-35) the content provider, the print center, and the printer have submitted their public keys to the certification authority, and the certification authority has issued a unique public key certificate to each of the other participants of the system. It would have been obvious to one of the ordinary skill in the

art at the time of the invention to incorporate teachings of Saw into the system of Jonsson because it would improve the security by implicitly identifying the identity and membership of the participants.

With respect to claim 3, Saw discloses the limitation of "one or more domain certificates comprise a first domain certificate identifying the first user as a member of an authorized domain, and a second domain certificate identifying the second user as a member of the authorized domain" (column 3, lines 31-35) as the content provider, the print center, and the printer have submitted their public keys to the certification authority, and the certification authority has issued a unique public key certificate to each of the other participants of the system.

With respect to claim 4, Saw discloses the limitation of "one or more domain certificates comprise a single certificate identifying the first and second users as members of the authorized domain" (column 4, lines 47-50) as to identify the participants, the print certificate request may include the public keys of the content provider, the print center, and the printer.

With respect to claim 6, it is rejected in view of the same reasons as stated in the rejection of claims 1 and 2.

With respect to claim 9, it is rejected in view of the same reasons as stated in the rejection of claim 2.

With respect to claim 10, it is rejected in view of the same reasons as stated in the rejection of claim 3.

With respect to claim 11, it is rejected in view of the same reasons as stated in the rejection of claim 4.

With respect to claim 12, Saw discloses the limitation of "receive an identifier for the first user from an identification device and to perform the operation if the received identifier matches the identification of the first user in the user right of the first user" (column 2, lines 1-9) as a content provider waits for a certificate via the network; and establishes a secure communication link on the network if the certificate is received. The secure link is established with a display device indicated in the certificate. Digital content is then sent via the secure link to the display device indicated in the certificate.

With respect to claim 13, it is rejected in view of the same reasons as stated in the rejection of claim 6.

With respect to claim 14, Saw discloses the limitation of "at least a portion of the content right is encrypted using an encryption key for which a corresponding decryption

key is available to the device" (column 5, lines 47-50) as the initialization request may also include a session symmetric key that can be used to encrypt and decrypt data packets to be sent during the transfer of the digital content.

8. Claims 7 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jonsson (WO 01/76294) in view of Saw et al. (US Patent 7,020,781 B1) as applied to claims 1, 2, and 6 and further in view of Messerges et al. (US Publication 2002/0157002 A1).

With respect to claim 7, it is noted that neither Jonsson nor Saw specifically disclose the limitation of "the operation is not authorized if the content right does not identify the authorized domain." However, Messerges discloses the abovementioned limitation (page 9, paragraph 0080) as because only registered devices are allowed access to the content, a check-in/check-out policy is not needed and a user's experience is greatly simplified and enhanced. Security is encountered by an end-user only when adding new devices to one or more domains. Since the devices are registered with a domain, it is understood that is a device is not registered with a domain it is denied access to the content. It would have been obvious to one of the ordinary skill in the art at the time of the invention to incorporate teachings of Messerges into the system of Jonsson and Saw to provide security because the devices that are not members of the authorized domain are prevented from access to the digital content.

With respect to claim 21, it is rejected in view of the same reasons as stated in the rejection of claim 7.

9. Claims 15-17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jonsson (WO 01/76294) in view of Saw et al. (US Patent 7,020,781 B1) and in further view of Wyman (US Patent 5,204,897).

With respect to claim 15, it is noted that neither Jonsson nor Saw specifically disclose the limitation of "the content right is provided with a digital signature allowing verification of the authenticity of the content right." However, Wyman discloses the abovementioned limitation (column 14, lines 50-53) as the decoding algorithm using a public key for any signatures is thus used by the license server or delegatee to make sure a product use authorization is authentic. It would have been obvious to one of the ordinary skill in the art at the time of the invention to incorporate teachings of Wyman into the system of Jonsson and Saw because that would further improve the security of the digital content.

With respect to claim 16, Saw discloses the limitation of "perform the operation if the digital signature can be verified successfully using a digital certificate associated with an authorized content provider" (column 4, lines 51-54) as the certification authority checks its own database of registered participants to verify the validity and authenticity of the participants identified in the print certificate request.

With respect to claim 17, it is rejected in view of the same reasons as stated in the rejection of claim 16.

With respect to claim 19, Saw discloses the limitation of "extracting a public key from the content right and to use the extracted public key in determining whether the operation is authorized" (column 5, lines 44-47) as the printer initialization request may include the printer identifier, the job identifier, the print center's public key and the print certificate.

10. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jonsson (WO 01/76294) in view of Saw et al. (US Patent 7,020,781 B1) and Wyman (US Patent 5,204,897) and in further view of Moskowitz et al. (WO 01/18628 A2).

With respect to claim 18, it is noted that none of Jonsson, Saw, and Wyman disclose the limitation of "refuse to perform the operation if the digital signature cannot be verified successfully using a digital certificate associated with an authorized content provider and a digital watermark associated with the authorized content provider is present in the content item." However, Moskowitz discloses (page 3, lines 19-21) that the digital data set may be embedded with at lest one robust open watermark, which permits the content to be authenticated. It would have been obvious to one of the ordinary skill in the art at the time of the invention to incorporate teachings of Moskowitz into the system of Jonsson, Saw, and Wyman to improve the security of the digital

content through the use of watermarks which are intended to prevent or deter unauthorized copying of digital media.

11. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jonsson (WO 01/76294) in view of Saw et al. (US Patent 7,020,781 B1) and in further view of Kahn et al (US Patent 6,135,646).

With respect to claim 20, it is noted that neither Jonsson nor Saw specifically disclose the limitation of "determining a robust fingerprint for the content item and to refuse to perform the operation if the determined robust fingerprint does not match a robust fingerprint comprised in the content right." However, Kahn discloses the abovementioned limitation (column 6, line 65 – column 7, line 3) as retaining a copy of the properties record for each digital object, a digital signature or other "fingerprint" of the digital object (the digital signature and other fingerprint is typically considerably smaller than the object itself) suitable for verification purposes and a temporal history list of related objects. It would have been obvious to combine teachings of Kahn with the system of Jonsson and Saw to provide improved protection for multimedia from unauthorized redistribution.

12. Claims 24 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurokawa (US Patent 6,237,099 B1) in view of Saw et al. (US Patent 7,020,781 B1).

It is noted that Kurokawa does not specifically disclose the limitation of "at least a portion of the content right is encrypted using an encryption key for which a corresponding decryption key is available to the device." However, Saw discloses the abovementioned limitation (column 5, lines 47-50) as the initialization request may also include a session symmetric key that can be used to encrypt and decrypt data packets to be sent during the transfer of the digital content. It would have been obvious to one of the ordinary skill in the art to incorporate teachings of Saw into the system of Kurokawa to provide the increased protection for the digital content.

With respect to claim 30, Saw discloses the limitation of "receive an identifier for the first user from an identification device and to perform the operation if the received identifier matches the identification of the first user in the user right of the first user" (column 2, lines 1-9) as a content provider waits for a certificate via the network; and establishes a secure communication link on the network if the certificate is received. The secure link is established with a display device indicated in the certificate. Digital content is then sent via the secure link to the display device indicated in the certificate

13. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kurokawa (US Patent 6,237,099 B1) in view of Wyman (US Patent 5,204,897).

It is noted that Kurokawa does not specifically disclose the limitation of "the content fight is provided with a digital signature allowing verification of the authenticity of the content right." On the other hand, Wyman discloses the abovementioned limitation

(column 14, lines 50-53) as the decoding algorithm using a public key for any signatures is thus used by the license server or delegatee to make sure a product use authorization is authentic. It would have been obvious to one of the ordinary skill in the art at the time of the invention to incorporate teachings of Wyman into the system of Jonsson and Saw because that would further improve the security of the digital content.

14. Claim 26 and 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kurokawa (US Patent 6,237,099 B1) in view of Wyman (US Patent 5,204,897) and further in view of Saw et al. (US Patent 7,020,781 B1).

It is noted that neither Kurokawa nor Wyman specifically disclose the limitation of "perform the operation if the digital signature can be verified successfully using a digital certificate associated with an authorized content provider." On the other hand, Saw discloses the abovementioned limitation (column 4, lines 51-54) as the certification authority checks its own database of registered participants to verify the validity and authenticity of the participants identified in the print certificate request. It would have been obvious to combine teachings of Saw with the system of Kurokawa and Wyman to further improve the security of digital content.

With respect to claim 27, it is rejected inview of the same reasons as stated in the rejection of claim 26.

15. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kurokawa (US Patent 6,237,099 B1) in view of Wyman (US Patent 5,204,897) and in further view of Moskowitz et al. (WO 01/18628 A2).

With respect to claim 28, it is noted that neither Kurokawa nor Wyman disclose the limitation of "refuse to perform the operation if the digital signature cannot be verified successfully using a digital certificate associated with an authorized content provider and a digital watermark associated with the authorized content provider is present in the content item." However, Moskowitz discloses (page 3, lines 19-21) that the digital data set may be embedded with at lest one robust open watermark, which permits the content to be authenticated. It would have been obvious to one of the ordinary skill in the art at the time of the invention to incorporate teachings of Moskowitz into the system of Kurokawa and Wyman to improve the security of the digital content through the use of watermarks which are intended to prevent or deter unauthorized copying of digital media.

16. Claim 29 rejected under 35 U.S.C. 103(a) as being unpatentable over Kurokawa (US Patent 6,237,099 B1) in view of Kahn et al (US Patent 6,135,646).

With respect to claim 20, it is noted Kurokawa does not specifically disclose the limitation of "determining a robust fingerprint for the content item and to refuse to perform the operation if the determined robust fingerprint does not match a robust fingerprint comprised in the content right." However, Kahn discloses the abovementioned limitation (column 6, line 65 – column 7, line 3) as retaining a copy of

the properties record for each digital object, a digital signature or other "fingerprint" of the digital object (the digital signature and other fingerprint is typically considerably smaller than the object itself) suitable for verification purposes and a temporal history list of related objects. It would have been obvious to incorporate teachings of Kahn into the system of Kurokawa to provide improved protection for multimedia from unauthorized redistribution.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KONSTANTIN SHEPELEV whose telephone number is (571)270-5213. The examiner can normally be reached on Mon - Thu 7:30 - 17:00, Fri 7:30 - 16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantz Coby can be reached on (571) 272-4017. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 4133

05/27/2008
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